

in the appropriate offices of the National Park Service.

(d) **ACQUISITION OF LAND.**—

(1) **IN GENERAL.**—The Secretary may acquire land, an interest in land, and any improvements to land located within the boundary of the Park.

(2) **MEANS.**—Subject to paragraph (3), an acquisition of land under paragraph (1) may be made by donation, purchase with donated or appropriated funds, exchange, transfer from any Federal agency, or by any other means that the Secretary determines to be in the public interest.

(3) **CONSENT OF OWNER.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), no land, interest in land, or improvement to land to may be acquired under paragraph (1) without the consent of the owner.

(B) **EXCEPTION.**—The corporately-owned timberland in the area described in subsection (b)(2) may be acquired without the consent of the owner.

(4) **MEMORANDUM OF UNDERSTANDING.**—If the owner of the timberland described in paragraph (2)(B) agrees to sell the timberland to the Secretary either as a result of a condemnation proceeding or without any condemnation proceeding, the Secretary shall enter into a memorandum of understanding with the owner with respect to the manner in which the timberland is to be managed after acquisition of the timberland by the Secretary.

(5) **CAPE DISAPPOINTMENT.**—

(A) **TRANSFER.**—

(i) **IN GENERAL.**—Subject to valid rights (including withdrawals), the Secretary shall transfer to the Director of the National Park Service management of any Federal land at Cape Disappointment, Washington, that is within the boundary of the Park.

(ii) **WITHDRAWN LAND.**—

(I) **NOTICE.**—The head of any Federal agency that has administrative jurisdiction over withdrawn land at Cape Disappointment, Washington, within the boundary of the Park shall notify the Secretary in writing if the head of the Federal agency does not need the withdrawn land.

(II) **TRANSFER.**—On receipt of a notice under subclause (I), the withdrawn land shall be transferred to the administrative jurisdiction of the Secretary, to be administered as part of the Park.

(B) **MEMORIAL TO THOMAS JEFFERSON.**—

(i) **IN GENERAL.**—All withdrawals of the 20-acre parcel depicted on the map as “Memorial to Thomas Jefferson” are revoked.

(ii) **ESTABLISHMENT.**—The Secretary shall establish a memorial to Thomas Jefferson on the parcel referred to in clause (i).

(C) **MANAGEMENT OF CAPE DISAPPOINTMENT STATE PARK LAND.**—The Secretary may enter into an agreement with the State of Washington providing for the administration by the State of the land within the boundary of the Park known as “Cape Disappointment State Park”.

**SEC. 5. ADMINISTRATION.**

(a) **IN GENERAL.**—The Secretary shall administer the Park in accordance with—

(1) this Act; and

(2) the laws generally applicable to units of the National Park System, including—

(A) the Act of August 25, 1916 (16 U.S.C. 1 et seq.); and

(B) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(b) **MANAGEMENT PLAN.**—Not later than 3 years after funds are made available to carry out this Act, the Secretary shall prepare an amendment to the general management plan for the Memorial to address the management of the Park.

(c) **COOPERATIVE MANAGEMENT AGREEMENTS.**—To facilitate the presentation of a

comprehensive picture of the experiences of the Lewis and Clark Expedition in the lower Columbia River area and to promote more efficient administration of the sites associated with those experiences, the Secretary may, in accordance with section 3(1) of Public Law 91-383 (16 U.S.C. 1a-2(1)), enter into cooperative management agreements with appropriate officials in the States of Washington and Oregon.

**SEC. 6. REPEALS; REFERENCES.**

(a) **IN GENERAL.**—Public Law 85-435 (72 Stat. 153; 16 U.S.C. 450mm et seq.) is repealed.

(b) **REFERENCES.**—Any reference to Fort Clatsop National Memorial in a law (including regulations), map, document, paper, or other record shall be considered to be a reference to the Lewis and Clark National Historical Park.

**SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as are necessary to carry out this Act.

**JEAN LAFITTE NATIONAL HISTORICAL PARK AND PRESERVE BOUNDARY ADJUSTMENT ACT OF 2004**

On Wednesday, September 15, 2004, the Senate passed S. 2287, as follows:

S. 2287

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Jean Lafitte National Historical Park and Preserve Boundary Adjustment Act of 2004”.

**SEC. 2. JEAN LAFITTE NATIONAL HISTORICAL PARK AND PRESERVE BOUNDARY ADJUSTMENT.**

(a) **IN GENERAL.**—Section 901 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230) is amended in the second sentence by striking “twenty thousand acres generally depicted on the map entitled ‘Barataria Marsh Unit-Jean Lafitte National Historical Park and Preserve’ numbered 90,000B and dated April 1978,” and inserting “23,000 acres generally depicted on the map entitled ‘Boundary Map, Barataria Preserve Unit, Jean Lafitte National Historical Park and Preserve’, numbered 467/80100, and dated August 2002,”.

(b) **ACQUISITION OF LAND.**—Section 902 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230a) is amended—

(1) in subsection (a)—

(A) by striking “(a) Within the” and all that follows through the first sentence and inserting the following:

“(a) **IN GENERAL.**—

“(1) **BARATARIA PRESERVE UNIT.**—

“(A) **IN GENERAL.**—The Secretary may acquire any land, water, and interests in land and water within the boundary of the Barataria Preserve Unit, as depicted on the map described in section 901, by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange.

“(B) **LIMITATIONS.**—

“(i) **IN GENERAL.**—With respect to the areas on the map identified as ‘Bayou aux Carpes Addition’ and ‘CIT Tract Addition’—

“(I) any Federal land acquired in the areas shall be transferred without consideration to the administrative jurisdiction of the National Park Service; and

“(II) any private land in the areas may be acquired by the Secretary only with the consent of the owner of the land.

“(ii) **EASEMENTS.**—Any Federal land in the area identified on the map as ‘CIT Tract Ad-

dition’ that is transferred under clause (i)(I) shall be subject to any easements that have been agreed to by the Secretary and the Secretary of the Army.”;

(B) in the second sentence, by striking “The Secretary may also” and inserting the following:

“(2) **FRENCH QUARTER.**—The Secretary may”;

(C) in the third sentence, by striking “Lands, waters, and interests therein” and inserting the following:

“(3) **ACQUISITION OF STATE LAND.**—Land, water, and interests in land and water”;

and (D) in the fourth sentence, by striking “In acquiring” and inserting the following:

“(4) **ACQUISITION OF OIL AND GAS RIGHTS.**—In acquiring”;

(2) by striking subsections (b) through (f) and inserting the following:

“(b) **RESOURCE PROTECTION.**—With respect to the land, water, and interests in land and water of the Barataria Preserve Unit, the Secretary shall preserve and protect—

“(1) fresh water drainage patterns;

“(2) vegetative cover;

“(3) the integrity of ecological and biological systems; and

“(4) water and air quality.”; and

(3) by redesignating subsection (g) as subsection (c).

(c) **HUNTING, FISHING, AND TRAPPING.**—Section 905 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230d) is amended in the first sentence by striking “within the core area and on those lands acquired by the Secretary pursuant to section 902(c) of this title, he” and inserting “the Secretary”.

(d) **ADMINISTRATION.**—Section 906 of the National Parks and Recreation Act of 1978 (16 U.S.C. 230e) is amended—

(1) by striking the first sentence; and

(2) in the second sentence, by striking “Pending such establishment and thereafter the” and inserting “The”.

**SEC. 3. REFERENCES IN LAW.**

(a) **IN GENERAL.**—Any reference in a law (including regulations), map, document, paper, or other record of the United States—

(1) to the Barataria Marsh Unit shall be considered to be a reference to the Barataria Preserve Unit; or

(2) to the Jean Lafitte National Historical Park shall be considered to be a reference to the Jean Lafitte National Historical Park and Preserve.

(b) **CONFORMING AMENDMENTS.**—Title IX of the National Parks and Recreation Act of 1978 (16 U.S.C. 230 et seq.) is amended—

(1) by striking “Barataria Marsh Unit” each place it appears and inserting “Barataria Preserve Unit”; and

(2) by striking “Jean Lafitte National Historical Park” each place it appears and inserting “Jean Lafitte National Historical Park and Preserve”.

The PRESIDING OFFICER. The Senator from Alaska.

**ORDER TO REQUEST FOR RETURN OF PAPERS—H.R. 4567**

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Senate request the House to return the papers with respect to H.R. 4567.

The PRESIDING OFFICER. Without objection, it is so ordered.